K

1952.

File No. Housing Boards II/52(R)
Legal Department.

B **BRANCH**

Subject:— Rules under the Bombay Housing Boards Act, 1948.

B/W

File No. Housing Boards II/52(R)

Gen. 194 e.

499-B

Legal Department.

A revised draft notification is sent herewith for final publication of new rule 10A.

2. The provisions, particularly those relating to leases, have been rearranged and revised to avoid repetition and to make them consistent with each other. As no material alterations have been made in the draft rule published for inviting objections and suggestions, the revised draft rule may be issued finally.

Sd/-
5/4.

for Additional Secretary to Government

U.R. to L. & H.D. ,No. 7143, dated the 6th May 1952.

4-Cs.

E.V.V.
3/7.

6/7

K.S.R.
6/7

LEGAL DEPARTMENT.

The draft rules as amended are in order.

2. The definitions of 'Act' and 'foreign service' have been inserted for facility of reference.

3. Rule 4 provides for non-pensionable servants of the Board. The Department is requested to consider whether there would be any pensionable servants of the Board other than those covered by section 14. If not, the rules may be applied to all servants of the Board admitted to the fund.

4. Rule 30 of the draft rules is outside the scope of the Bombay Housing Board Act, 1948, and has been deleted from the draft rules.

5. Schedule Sixth:- It is presumed that all the subscribers falling under clause (3) would be under the control of an Executive Engineer.

6. The Notes to rules have been deleted as they have no statutoty force. They may be inserted at the end with a suitable indication for the information of the servants of the Board.

Sd/- D.P.Dalal,
16.10.

Additional Deputy Secretary to Governm

U.R. to P§ W.D. No. 17261/B, dated the 20th October 1952.

4-Cs.

M.V.V.
3/7.

Legal Department.

The wording of the Bombay Housing Board (Amendment) Act, 1952, closely follows the wording of the Bombay Displaced Persons Premises Control and Regulation Act, 1952. The draft of the Rules to be made under the latter Act has been supplied to the R.H.D. The Rules under the Bombay Housing Board Act should also follow the same wording. The model of the Government Premises (Eviction) Rules, 1950, made by the Central Government under the Central Act will not be apt as the provisions of the Bombay Act are different in material respects. (Please see sub-section (3) of section 53-A. There is no corresponding provision in the Central Act).

No court-fee on appeal petition can be levied as there is no specific provision for the levy of such fee on the lines of section 49(2)(v) of the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947. Such appeal does not fall under any of the items in Schedule II to the Court Fees Act, 1870.

Sd/- J.R.Dhurandhar,
15/12.

Additional Secretary to Government.

U.R. to P.W.D.No. 21144/B, dated the 16th December 1952.

4-Cs.

M.V.V.
3/7.